

MARTIN, WILLIAMS & JUDSON

IBLA 83-719

Decided April 6, 1984

Appeal from a decision of the Colorado State Office, Bureau of Land Management, rejecting simultaneous oil and gas lease application, C-36486.

Affirmed.

1. Oil and Gas Leases: Applications: Attorneys-in-Fact or Agents--Oil and Gas Leases: Applications: Drawings

A simultaneous oil and gas lease application must be rendered in a manner to reveal the name of the applicant, the name of the signatory, and their relationship. Where there is no indication on the application of the signatory's relationship to the applicant, or any reference to a qualifications file that indicates the relationship, the requirements of 43 CFR 3112.2-1(b) have not been satisfied and the application is properly rejected.

APPEARANCES: R. Ken Williams, for appellant.

OPINION BY ADMINISTRATIVE JUDGE MULLEN

Martin, Williams & Judson has appealed the decision of the Colorado State Office, Bureau of Land Management (BLM), dated June 3, 1983, rejecting its simultaneous oil and gas lease application, C-36486, drawn with first priority with respect to parcel CO-132 at the November 1982 drawing, because the application failed to disclose the relationship between the applicant and the signatory as required by 43 CFR 3112.2-1(b) and 3102.4. 1/ BLM found there was no indication of the relationship between the signatory and the applicant or reference to a previously filed qualifications statement on the face of the application.

This is the second case that has come before this Board involving the same set of circumstances and the same appellant. See Martin, Williams & Judson, 74 IBLA 342 (1983). In this case, as in the previous case, Williams, who submitted the statement of reasons on behalf of appellant, states that it is his habit to include appellant's qualifications file numbers MT-065500

1/ Subsequent to the date that the application was filed, the Department amended its regulations for simultaneous oil and gas lease applications. The comparable regulatory language, to be codified at 43 CFR 3112.2-1(c), can be found at 48 FR 33678 (July 22, 1983).

(located in the Montana State Office, BLM) and NM-43000 (located in the New Mexico State Office, BLM) on the applications filed on behalf of appellant, but that he failed to do so on the subject application. He further explains that appellant is a partnership and that its Articles of Partnership, which are in the above-noted qualifications files, authorize each partner to sign documents without the joinder of the other partners, and that the application for the November 1982 drawing (like the application for the July 1982 drawing) was signed by him.

Williams has presented no facts in the statement of reasons filed on behalf of the partnership in this appeal that vary from the statement of reasons he filed on behalf of the partnership in the previous case, other than the date of the drawing. We find no reason to deviate from our previous determination and hold that the decision of the Colorado State Office, BLM, should be affirmed.

Therefore, pursuant to the authority delegated to the Board of Land Appeals by the Secretary of the Interior, 43 CFR 4.1, the decision of the Colorado State Office is affirmed.

R. W. Mullen
Administrative Judge

We concur:

Wm. Philip Horton
Chief Administrative Judge

Will A. Irwin
Administrative Judge

